

**Minutes for DAB VI Meeting
Monday, August 7th, 2000
Evergreen Recreational Center**

- Meeting was call to order at 7:00 p.m. by **Council Member Joan Cole**
- **Council Member Cole** asked DAB Board Members to introduce themselves.
- The Minutes for the Meetings on 7/10 and 7/19/00 were approved as submitted.
- The Agenda for 8-7-00 was approved as submitted

Public Agenda

Council Member Cole moved item 7 on the Agenda first to the Public Agenda.

Council Member Cole declared that item as **1A**.

City Council Consideration of Transfer Station Conditional Uses

- **Sedgwick County** was approached by Company Waste Connections to ask them the issuance of **Industrial Revenue Bonds** to purchase a land next to Brooks Landfill in order to establish a transfer station.
- **Sedgwick County** approved a resolution to intend the issuance of tax exempted bonds. Waste Connections will secure and will be responsible for the management of these bonds. The reason why the City Council has been asked to provide comments and inputs on this request is because the proposed facility will be located within 3 miles of City limits and based on current State law, the City can provide input into this request. The City will have voice, but no decision power on this issue.
- **Board Member Sloan** wanted to know the exact amount of money on industrial revenue bonds that this company is seeking to obtain. **Member Sloan** also wanted to know the plans to handle disaster waste, since according to the document presented before the DAB VI, this company's landfill will not handle it.
- **(do not recall name of speaker)** responded that Waste Connections is asking for five million. Also that the City of Wichita construction and demolition landfill will manage that. It seems that we are going to use the one on 37th street, Brooks Landfill.

Board Member Rangel wanted to know if the City is planning to do any code enforcement in this area, since in a few years or a decade the City will end up annexing the area. Also stated was that enforcement on that transfer station is needed so that when annexation occurs the facility will be in compliance with City codes.

He wanted to know where the trash dumped at the transfer station would be hauled to.

(speaker) responded that the City is not planning at this time to do any enforcement in the proposed area because it belongs to the County and not to the City. The City can recommend, but not enforce.

Council Member Cole stated that input from the City is important in this process and that's why this issue is going to be presented before the City Council tomorrow, August 8, 2000, has been presented before the District Advisory Board tonight.

Council Member Cole added that the input gathered at this meeting tonight will be presented before the City Council for consideration. We are sending the trash? Ponca City is the nearest landfill owned by this company.

(speaker) Waste Connections owns a landfill in Ponca City, Oklahoma, and I believe that they are planning to take our waste there.

Board Member Casados wanted to know what is going to be done to the trash once it arrives to the landfill. **(speaker)** responded that he does not know.

Board Member Foster wanted to know if **Waste Connections** can decide the location where it is going to send the trash. Mr. Bickey is concerned that if they had the power to decide they can take it to any location far from here and then charge us more for it.

(speaker) responded that they have the power to decide location but that the county can determine if the price will be competitive for the consumer or not.

Board Member Turner wanted to know if the tax exemption that this company will receive for the issuance of these bonds would be limited to federal exemption or if the County will extend the blanket to provide county exemption as well.

(speaker) Waste Connections will receive a federal income tax exemption on interest received, but not on county taxes. Waste Connections will be responsible to pay for those.

Board Member Foster wanted to know if the Country is going to provide similar opportunities to other companies requesting these types of bonds.

(speaker) Sedgwick County is willing to assist other companies with similar requests as well as long as they provide security for those bonds.

Board Member Matney wanted to know if Waste Connections proposal includes the provision of roads and highway maintenance. Also the concern with damage to roads and highways due to constant traffic flow of waste carrying trucks.

(speaker) Sedgwick County and Waste Connections are negotiating this issue, to make sure that Kansas roads as well as the trash carried on this trucks are secured.

Council Member Cole proceeded to ask Board Members for recommendations on this issue.

Board Member Van Walleghen wanted to know what would happen if the County Commission decides to refuse the issuance of these bonds. **(speaker)** If the Commission decides to deny the petition, Waste Connections will most likely seek private financing, which will result on more cost to the citizens of Sedgwick County.

Board Member Rangel recommended that prior to the endorsement of this proposal the City should inquire on the destination of the trash. Also stated, that it is important for the City to make sure that this facility will meet city regulations to facilitate matters when this area becomes part of the City in the future due to annexation.

Board Member Rangel recommended that the City look into Current State standards for transfer stations, in order to make sure that this facility should meet such requirements.

Board Member Sloan recommended that the City should make sure that the contract will include the provision of two clean-ups per community a year. Mrs. Doratheia also recommended that the City Council make sure that there would not be any debris in nearby highways, as trash haulers will move trash in and out of the transfer station.

Board Member Casados recommended a provision in the contract to allow neighborhoods the opportunity to take debris to the transfer station for free twice a year.

Board Member Foster recommended that the City should not make a recommendation on this matter until we know where the trash is going.

Council Member Cole stated that the City of Wichita has a need to comment on this issue, because lack of comments will be interpreted as acknowledgement of the proposal.

Council Member Cole told board Members that she will carry their recommendations before the City Council on this matter.

New Business

1B Firework Issues

Mike Rudd, WFD Deputy Chief of Operations spoke on this matter. Chief Rudd told Board Members that in 1999, the **WFD** responded to 27 fireworks related calls, (calls involving fires caused by fireworks or for individuals shooting illegal fireworks). It is his understanding that the **WFD** responded to a similar amount of cases in 2000. **Chief Rudd** said that the **Wichita Police Department** responded to 138 fireworks related calls and to 240 calls this year. Fireworks caused 25 injuries in 1999 and fireworks fire alarms remained steady through the years.

Council Member Cole asked DAB Members to provide questions and comments.

Board Member Chinn wanted to know the typical fireworks related complaints that the Wichita Police and Fire Departments receives. **Mr. Gregory** asked Chief Rudd for the criteria that the department is using to determine if a particular firework is prohibited in

Wichita. He also wanted to know how hard it is to identify the source of a firework shot at a community. **Board Member Chinn** asked **Chief Rudd** if he knew about vendors selling illegal fireworks in Wichita or Sedgwick County. **Chief Rudd** responded that **WPD** receives calls on someone shooting fireworks. **Chief Rudd** said that **WFD** receives calls on fires caused by fireworks. **Chief Rudd** also added that if a firework is flying higher or wider than 6 feet it is considered to be illegal in Wichita and that it is hard to identify the exact source of fireworks from a neighborhood area, unless you are in a tall building. It is difficult to prove a fireworks violation unless you witness it. **Chief Rudd** believes that vendors in Wichita are not selling illegal fireworks in City limits as well as in Sedgwick County because areas shared similar regulations. However, regulations in other counties like Butler are different as some of these counties allow the sale of fireworks considered to be illegal in our area. Therefore there is a possibility that these illegal fireworks found here could be purchased in other counties.

Board Member Rangel wanted to know what firework devices are more dangerous to children. **Chief Rudd** responded that sparking fire works are the most dangerous because of the number of children injuries involved.

Council Member Cole asked Board Members to express their feelings regarding the current regulations on this matter or to advise if they would like the City Council to consider the possibility of establishing new more restrictive regulations

Board Member Foster wanted to know what other cities are saying about regulating fireworks. **Chief Rudd** responded that most cities in Kansas have similar regulations while there are others that have regulations that prohibits the sale of such devices. He also said the City of Wichita and Sedgwick County both carry similar regulations.

Board Member Turner recommended the total prohibition of fireworks in City limits.

Board Member Van Walleghen recommended that the City should allow a limited use of fireworks for family enjoyment purposes. He also recommended that as the City looks into doing changes in current regulations that safety factors involved should be looked at and considered closely.

Board Member Casados recommended the establishment of a fireworks educational program, prior to doing a change on regulations. Also recommended a total prohibition of fireworks because she said that the City of Denver, Colorado has done so, but instead of seeing a decrease on fireworks activity, the City of Denver has experienced an increase since the regulations were changed.

Board Member Chinn recommended the City should impose stronger fines to illegal fireworks providers, while regular or less strong fines should be applied to users.

Board Member Rangel recommended that the City should restrict the areas allowed for fireworks to several large shooting areas or ranges citywide established by the City for

people to shoot fireworks. This measure will restrict limit to the location of fireworks usage.

Council Member Cole asked Board Members for closing recommendations.

Board Member Foster recommended talks to Butler County authorities in order to let them know how serious the problem is.

Board Member Sloan recommended that when the City experience's a bad year for fires, the City ordinance should allow a restriction or ban on fireworks usage in order to decrease, reduce or avoid fires. **Chief Rudd** responded that there is current regulation that allows him to take measures to avoid fires, but it is not specific to restrict or ban fireworks.

Board Member Matney recommended that we should include the restriction or banning of fireworks to current fire bans.

The Motion is to consider possible changes in current fireworks regulations.
The motion was carried unanimously.

2. Fire Station Relocation Study

Mike Rudd, WFD Deputy Chief of Operations spoke on this matter. **Chief Rudd** told Board Members that in the year 2002, **Station 7**, located in **District VI** would be closed in order to build a new station on north Meridian. The City by request of Council Member Cole is looking into a location for the station closed to the area of Meridian and Kellogg. Also that **Station 4** will be closed.

Board Member Turner wanted to know why the City is not considering the expansion of **Station 7** instead of looking into relocation. **Chief Rudd** responded that ideally, we need 75,000 feet of space for an adequate station, and that station does not have the space to fit the new fire pumper apparatus.

Board Member Van Walleghen wanted to know how close to the intersection is the Fire Department going to move **Station 12**.

Chief Rudd responded that the City is planning to move or relocate **Station 12** close the area of Meridian or the by-pass, close to a major intersection. The idea is to provide the citizens of that area more options for usage and response.

Board Member Van Walleghen wanted to know what are the plans for the existing fire facilities once they are abandoned. **Chief Rudd** responded that the City would look into other usages like a public library or a recreational facility.

Council Member Cole asked Board Members to present a motion to either bring this back the Fire Department for further discussion or to receive and file.

Board Member Van Walleghen presented a motion to received and file the report that was second unanimously.

3. Chisolm Creek Bike Path

Frank Smith, from the **Greenway Commission** spoke on this matter. Mr. Smith told Board Members that the Greenway Commission has a group of volunteers to clean up greenways, bicycle and pedestrian trails. **Mr. Smith** stated the purpose of this commission is to take advantage of the greenways in our communities to establish the framework for parks. He said that there is a possible donor that is willing to give a piece of land on North 25th street to establish a greenway. Mr. Smith said the Commission is here to provide assistance to determine neighborhood involvement in this project.

Board Member Rangel wanted to know if the property chosen for the Chisolm Creek Bike Path is privately owned or public? **Mr. Smith** responded that part of the property is privately one while the rest is owned by the City.

Council Member Cole wanted to know if the Greenway Commission was seeking the support of DAB VI on this project? **Mr. Smith** responded that yes, they were seeking support to establish this greenway.

Board Member Turner told Board Members that this project will help eliminate illegal dumping. He also said that as a Member of this commission he is looking for support from his Board to acquire and develop this project.

Board Member Rangel wanted to know if the City has considered the usage of this possible plan to include a pedestrian park.

Board Member Turner presented a motion to seek the endorsement of DAB VI of the Greenway Plan. The motion passed unanimously to approve the concept.

Other Business

4. Sidewalk installation on the North side of 25th , from Amidon to Arkansas

Gene Rath, Public Works made a presentation on this matter. **Mr. Rath** said that every year the City of Wichita thru its **Capital Improvement Programs (CIP)** allocates \$50,000 every year to construct sidewalks along major arterial streets. The City receives the requests from citizens and that Public Works takes the requests. Based on a priority system a determination is made to choose those sidewalks that are going to be built by the City.

Requests are taken and prioritized. Citizens affected by the proposal are notified and invited to come to the Board Meeting for comments. At this time there is a proposal to be consider for the construction of this sidewalk on 25th street. **Mr. Rath** stated that the proposed sidewalks will connect to existing sidewalks. He said that it will be done on the north side based on traffic engineers recommendations and can not be done on both sides due to cost. The proposed project provides a sidewalk space on the bridge area; it will cover the public school near by and will provide access for handicap or disable people.

Council Member Cole asked members of the public to make comments on this proposal.

Citizen Francis Hindle said that in the area of Hood and Garland there is an existing sidewalk without wheelchair accessibility and asked **Mr. Rath** if he could make that addition to the existing sidewalk. Mr. Rath responded that his department would fix it to make that area accessible to disabled people as well.

Citizen Casa Mayfield wanted to know who is going to be responsible for maintenance of these sidewalks once construction is done? **Mr. Rath** responded that those who own adjacent properties to the sidewalk will be responsible for its maintenance.

Mrs. Mayfield asked **Mr. Rath**, if she will have a choice on that matter and he responded by saying no. Mrs. Mayfield concluded her comments by saying that she disagrees with the proposal.

Citizen Martha Martinez wanted to know if Public Works builds this new sidewalk, if they will work around trees and other objects? **Mr. Rath** responded that the City would try to work around trees, but close to the property and away from the street, because it is safer. Mr. Rath also said that if doing that is not possible that the City would have to go through it.

District VI Board Members presented a motion to recommend the approval of the proposition **including** the creation of wheelchair ramps on existing sidewalks on that street as well as new ones.

5. A Water Distribution System to serve an area along 45th street North, east of Arkansas Avenue.

Gene Rath, Public Works ,made a presentation on this matter. **Gene Rath** stated that 13 citizens on this area signed the petition to request water services from the City of Wichita. **Mr. Rath** said these signatures represent only 22% of the citizens residing in the area. Therefore, based on current regulations that establish a majority of signatures needed to get a petition going, the department position is to stop this current petition because we do not have a majority of signatures and to wait until a new one is presented for consideration. This current petition is scheduled to be heard before the City Council on September 12, 2000.

Council Member Cole opened the presentation for questions.

Board Member Foster wanted to know if the area that has requested the City water service lies within the identified ground contamination area. Mr. Rath responded that not as far as he knows.

Council Member Cole asked members of the public to provide questions and comments. and also stated that she wanted to hear from the new petitioners since the old petition was denied due to lack of support.

Citizen Frances Handey spoke in favor of the petition. She currently uses well water and states that it tastes and feels awful. She said she needs City water.

Citizen Mrs. Harpool spoke in support of the proposition

Citizen's Bonnie and Clyde Wintergate are opposed to the proposition.

Citizen Mrs. Taylor is opposed to the proposition.

Citizen Pat Morris is opposed to the proposition.

Citizen Smith spoke in support of the proposition by saying that he and other neighbors have tried for many years. **Mr. Smith** claimed that there is a majority of owners on 45th street in favor of having city water. **Mr. Smith** stated that the residences in that area are located in the contaminated area and the situation has not gotten better. He also stated that the water that this community is using is not suitable for human use. Wells according to **Mr. Smith** are contaminated and there is a need to receive City Water.

Council Member Cole responded saying that this is the first time that she has been aware of his efforts to obtain City water. **Gene Rath** also reminded Board Members that at this time the proposition does not have a majority at this time.

Board Member Foster made a motion to support the construction line for City water services via petition or due to health reasons to cover the whole area.

Board Member Fearey wanted to know if the City decides to extend the water services to that area due to health reasons; if the citizens of that community will have to paid for this line the same way as some who gets approved thru a petition. **GeneRath** responded that the same parameters cost wise will be utilized.

Board Member Sloan commented that part of the contamination affecting that area is sewer related.

Board Member Chinn recommended that if the health problem is greatly affecting this community, the whole area should be included.

The motion was carried unanimously.

6. Paving for 31st North from Hood Arkansas Avenue

Gene Rath, Public Works Department made a presentation on this matter. **Gene Rath** stated that this petition has a majority of signatures to pass because 50.26 % of the are residents signed the document.

Council Member Cole opened the presentation for questions or comments.

Citizen James Perez commented that there are two errors in the assessment information. According to Mr. Perez the real percentage is about 45 %. He opposes the proposition.

Board Member VanWalleghen wanted to know how many votes does a homeowner gets when a petition is being signed, even when he or she owns more than one property in the area. **Gene Rath** responded that they would receive one vote.

Citizen Jim Soat is opposed to this proposition because of its potential cost of \$18,000 in a period of 18 years. He also opposes because in his opinion, it reduces car racing in area.

Citizen Mrs. Chambers is opposed to the proposition because she said that there are several Hispanic families living in the neighborhood that signed the petition without knowing or understanding what they were doing because of the language.

Citizen Mr. Steel is opposed because of the cost involved.

Citizen Patsy Jordan is opposed because the cost will cause a hardship to her family.

Citizen Pete Johnson is in support of the proposition.

Citizen Mr. Herron is opposed because the cost will become a burden to him.

Citizen Mr. Perez does not support the proposition because he is concerned with not proper or adequate drainage system causing local flooding during storms. **Gene Rath** responded by saying that proper drainage will be covered as part of the development.

Citizen Richard Jesse supported the proposition because this neighborhood paving is important to improve the conditions and the quality of life of our neighborhood. There are currently a lot of rentals in the neighborhood and what we want is to keep homeownership in the community.

Council Member Cole asked Board Members to bring closure comments or recommendations on this matter.

Board Member Fearey made a motion recommending the approval of the petition that has been presented before the District Advisory Board.

The members of District Advisory Board approved the proposal unanimously.

7. Item seven was covered already on the Public Agenda

8. Problem properties

- **Construction field full of high weeds**

21st street just west of Braums, south side of 21st street

- **Tree overgrowing stop sign**

Northwest side street, Vine and 2nd Street

9. Update on items previously discussed by DAB VI

Council Member Cole provided Board Members an update on items previously presented.

- The **Alley on Mead and Mosley** will be paved completely
- The **car sales lot** has been denied by the M.A.P.C.
- On **Eaton Place**, things moving along, designers are working on it. Project to be completed by the end of this year.
- **The Alternative Correctional issue** will be presented by Wichita Independent Neighborhoods on August 16, 2000
- **The Court Redevelopment plan** will hold its last citizens input meeting at Central Church of Christ on August 31, 2000 at 3:30 p.m.
- **The North Midtown Project** will have its meeting on August 21, 2000.

Board Member Casados made a motion to have the 21st Street Task Force subcommittee meeting before the District Advisory Board on the 2nd Monday of September.

The motion was carried.

- **The 13th street Expansion meeting** will meet on August 23, 2000 at the Zoo Educational Center on Zoo Boulevard.

10. Sidewalks ordinances

Council Member Cole said that if a tree has been disrupted, the adjacent residents of that sidewalk are responsible to fix it.

Board Member Foster commented that once the City of Wichita is notified of a sidewalk problem, the City has to act because of the liability involved. He also said that once a sidewalk is build up, the owners of properties affected by the sidewalk are responsible for maintenance.

Council Member Cole suggested to Board Members of having a presentation on Streets and Sidewalks. Board Members responded by saying that they approved the idea.

There is a need to go back and repair sidewalks repaired by the City recently, but not fixed correctly. These sidewalks are located on the 18,19,20 and 21st blocks of North Waco where water lines were placed.

Board Member Turner suggested a new ordinance to hire someone for 5 years to carry paving petitions; every street unpaved afterwards will be charged a sur charge.

The meeting was adjourned at 10:14 p.m.